

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES

- v. -

KOSTAS FEKKAS,

Defendant.

23 Mag. 6395

STIPULATION IN SUPPORT OF
APPLICATION FOR 7TH OR
SUBSEQUENT ORDER OF
CONTINUANCE AND 18TH
ORDER OF CONTINUANCE

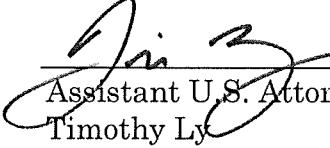
The United States of America and the defendant jointly request and agree that the time period from **January 29, 2025**, to and through **February 26, 2025**, be excluded from the computation of the period within which an information or indictment must be filed, pursuant to 18 U.S.C. § 3161(b) and (h)(7). The parties submit that there is good cause for an additional exclusion of time because such an exclusion will potentially allow the parties to dispose of the case without the need for a trial. In particular, the defendant was arrested on or about September 14, 2023, charged in a complaint issued on or about September 14, 2023, with violating 18 U.S.C. §§ 2252A(a)(2)(B) and (b)(1), receipt of child pornography; 2252A(a)(5)(B) and (b)(2), possession of child pornography; and 1470, attempted transfer of obscene material, and detained since September 14, 2023. The defendant and the Government have been involved in disposition negotiations since the defendant was charged, and as part of those negotiations, defense counsel has been working on a mitigation proposal for the Government's consideration. Specifically, on August 12, 2024, defense submitted its mitigation proposal to the Government. The Government is in the process of reviewing the proposal, but needs more time beyond **January 29, 2025**, when the Speedy Trial Act currently requires the Government to indict the defendant, to complete review of the mitigation proposal and negotiate a potential pre-trial disposition with the defendant. Accordingly, the interests of justice in allowing the Government time to review that proposal and the parties time to continue negotiating a potential disposition without trial, outweigh the defendant's and the public's interest in a speedy trial.

By the following signatures we agree and consent to the exclusion of time noted above:



Defendant's Counsel
Rachel Martin, Esq.

1/25/2025
Date



Assistant U.S. Attorney
Timothy Ly

Jan. 24, 2025
Date

The defendant states that he has been fully advised by counsel of his rights guaranteed under (a) the Sixth Amendment to the Constitution; (b) the Speedy Trial Act of 1974, as set forth in 18 U.S.C. §§ 3161–74; and (c) the plans and rules of this Court adopted pursuant to that Act. The defendant understands that he has a right to be charged by indictment or information, and to have a trial before a judge or jury, within a specified time (excluding certain time periods) under the Constitution and Rules and Laws of the United States identified above. The defendant consents and

agrees to the above request. Defense counsel has discussed this stipulation with the defendant and has the defendant's authorization to sign on her behalf.

/s/ Kostas Fekkas

Defendant

KOSTAS FEKKAS

1/25/2025

Date

The joint application of the United States of America and the defendant having been heard at a proceeding on the date below, the time period from **January 29, 2025**, to and through **February 26, 2025**, is hereby excluded in computing the time within which an indictment or information must be filed. The Court grants this continuance on the finding that the ends of justice outweigh the interests of the public and the defendant in a speedy trial, for the reasons set forth above. The Court further orders: *a more substantive and current update must be included in the next order of continuance, if one is needed.*

Dated: January 29, 2025

White Plains, New York

SO ORDERED

Andrew Krause
Hon. Andrew E. Krause

United States Magistrate Judge

The last update here is from 8/10/24.